

City Council Agenda

Council President
Lee Brand

Councilmembers

Oliver L. Baines III
Andreas Borgeas
Clinton J. Olivier - Acting President

Sal Quintero
Larry Westerlund
Blong Xiong

City Manager
Mark Scott

City Clerk
Rebecca E. Klisch, CMC

City Attorney
James C. Sanchez

The meeting room is accessible to the physically disabled, and the services of a translator can be made available. Requests for additional accommodations for the disabled, sign language interpreters, assistive listening devices, or translators should be made one week prior to the meeting. Please call City Clerk's Office at 621-7650. Please keep the doorways, aisles and wheelchair seating areas open and accessible. If you need assistance with seating because of a disability, please see Security.

The City Council welcomes you to the Council Chambers, located in City Hall, 2nd Floor, 2600 Fresno Street, Fresno CA 93721.

May 5, 2011

8:30 A.M. ROLL CALL

Invocation

Pledge of Allegiance to the Flag

Ceremonial Presentations:

Presentation of the SPCA Pet of the Month – Councilmember Baines - **Presented**

Proclamation of "STAMP OUT HUNGER DAY" – Mayor's Office - **Read and presented**

Proclamation of "WALK LIKE MADD DAY" – Mayor's Office - **Read and presented**

Proclamation of "SALVATION ARMY WEEK" – Council President Brand - **Read and presented**

Proclamation of "OLDER AMERICANS MONTH" – Acting President Olivier - **Read and presented**

PROCESS: For each matter considered by the Council there will first be a staff presentation followed by a presentation from the involved individuals, if present. Testimony from those in attendance will then be taken. All testimony will be limited to three minutes per person. If you would like to speak fill out a Speaker Request Form available from the City Clerk's Office and in the Council Chambers. The three lights on the podium next to the microphone will indicate the amount of time remaining for the speaker.

The green light on the podium will be turned on when the speaker begins. The yellow light will come on with one minute remaining. The speaker should be completing the testimony by the time the red light comes on and tones sound, indicating that time has expired. A countdown of time remaining to speak is also displayed on the large screen behind the Council dais.

Following is a general schedule of items for Council consideration and action. The City Council may consider and act on an agenda item in any order it deems appropriate. Actual timed items may be heard later but not before the time set on agenda. Persons interested in an item listed on the agenda are advised to be present throughout the meeting to ensure their presence when the item is called.

Approve Council minutes of April 28, 2011

Action Taken: Approved

Councilmember Reports and Comments

Action Taken: Made

Approve Agenda

Action Taken: Approved, as amended

Adopt Consent Calendar

Action Taken: Adopted

1. **CONSENT CALENDAR**

All Consent Calendar items are considered to be routine and will be treated as one agenda item. The Consent Calendar will be enacted by one motion. Public comment on the Consent Calendar is limited to three (3) minutes per speaker. There will be no separate discussion of these items unless requested by a Councilmember, in which event the item will be removed from the Consent Calendar and will be considered as time permits.

- A. Approve a two-year contract extension of the current master agreement between the Fresno City College Police Academy and the Fresno Police Department for contract instruction, assessment and counseling services - Police Department
Action Taken: Approved
- B. Documents relating to northbound Friant Road overlay – Public Works Department
 - 1. Adopt Finding of a Categorical Exemption per staff determination, pursuant to Class 1 Section 15301(Existing Facilities) of the CEQA Guidelines for the ARRA – northbound Friant Road overlay, Fresno Street to Champlain Drive (***Property located in District 6***)
Action Taken: Adopted
 - 2. Award a construction contract with Granite Construction Company of Watsonville, CA in the amount of \$543,974.00 for the ARRA – northbound Friant Road overlay, Fresno Street to Champlain Drive
Action Taken: Awarded
- C. Approve annual revision to the spending plan for the Proposition 1B local streets and roads allocation – Public Works Department
Action Taken: Approved
- D. Recommend approval of the following actions relating to the N. Millbrook, E. Ashlan, E. Olive, S. Maple, and E. Butler sewer rehabilitation project (***Property located in Districts 4 and 7***) – Dept. of Public Utilities
 - 1. Adopt a Finding of Class 1 and 2 Categorical Exemptions, pursuant to Section 15301 (b) (Existing Facilities) and 15302 (c) (Replacement or Reconstruction) of the California Environmental Quality Act Guidelines for the N. Millbrook, E. Ashlan, E. Olive, S. Maple, and E. Butler sewer rehabilitation project
Action Taken: Adopted
 - 2. Award a contract to Sak Construction, LP of O'Fallon Missouri, in the amount of \$2,155,460 for the rehabilitation thereof
Action Taken: Awarded
- E. Approve the reappointment of Rueben Scott to the Fresno Housing Authorities, City and County of Fresno – Mayor's Office
Action Taken: Approved

1. **CONSENT CALENDAR CONTINUED**

- F. Approve the appointments of Celeste Harrell, Mary Curry, Jim Tate Hill II, Eric Payne, Ricardo Munoz, W. Ross Tate, & Sabina Gonzalez to the Council District Three Planning Implementation Committee – Councilmember Baines
Action Taken: Approved
- G. Request from JHS Family Ltd. Partnership for refund of overpayment on 2010-2011 property tax bills for various properties within the City – Development and Resource Management Department
Action Taken: Refund approved
- H. * **RESOLUTION** - 93rd amendment to the Annual Appropriation Resolution (AAR) No. 2010-138 appropriating \$120,000 to provide funds for the ongoing use and payment of the Citywide cost per copy program (***Requires 5 affirmative votes***) – Finance Dept/Purchasing Division
Action Taken: Resolution No. 2011-82 adopted

CONTESTED CONSENT CALENDAR

SCHEDULED COUNCIL HEARINGS AND MATTERS

9:00 A.M. **GENERAL ADMINISTRATION**

- A. * **RESOLUTION** – 78th amendment to the Annual Appropriation Resolution No. 2010-138 (AAR) appropriating resources to fund unexpected expenses in the Workers' Compensation Program (***Requires 5 affirmative votes***) – Personnel Services Department
Action Taken: Resolution No. 2011-82 adopted
- B. Approve agreement for Fire Protection Services between the City of Fresno and the City of Clovis - Fire Department
Action Taken: Approved
- C. Approve first amendment to agreement with Camp, Dresser & McKee in the amount of \$585,000 for supplemental groundwater investigation and remedial action at the City of Fresno sanitary landfill (***Property located in District 3***) – Public Works Department
Action Taken: Approved
- D. Appoint Upper Kings Basin Integrated Regional Water Management Joint Powers Authority-designation of alternates for City of Fresno representation on the governing board – Public Works Department
Action Taken: Assistant Director and Supervising Professional Engineer of the Dept. of Public Utilities appointed
- E. * **RESOLUTION** – 500th amendment to the MFS Resolution No. 80-420 addressing fee changes and annual routine department revisions – Budget and Management Studies Division
Action Taken: Resolution No. 2011-84 adopted, as amended, excluding all Parks fees; 1 – 2 community meetings to be held on Parks fees and return on 6/16/2011
- F. Consider amending the Fresno Municipal Code relating to establishing a loan program for abandonment of single family residential septic tank and cesspool systems and sewer line installation and connection to the City sewer system – Dept of Public Utilities
1. * **BILL NO. B-14 - (Intro. 4/28/2011) (For adoption)** – Amending Section 6-305 of the Fresno Municipal Code relating to payment of sewer charges and loans
Action Taken: ordinance No. 2011-14 adopted
 2. Adopt Categorical Exemption Environmental Assessment No. EA-1 0-027 dated December 7, 2010, which is a Finding of Categorical Exemption pursuant to Section 15302/Class 2 of the CEQA Guidelines for replacement or reconstruction of existing structures where the new structure will be located in the same location and Section 15308/Class 8 of the CEQA Guidelines for actions taken by a regulatory agency for the protection of the environment
Action Taken: Adopted

SCHEDULED COUNCIL HEARINGS AND MATTERS CONTINUED

9:15 A.M.

CITY COUNCIL

- A. Selection of Council representative(s) to sit on a committee to act as liaison with Clovis Unified School District – Council President Brand
Action Taken: President Brand and Councilmember Quintero selected as representative and alternate

9:30 A.M.

JOINT MEETING WITH THE FRESNO REDEVELOPMENT AGENCY

Approve Agency minutes of April 28, 2011

Action Taken: Approved

- A. Consider approval of the following actions relating to reimbursement of costs incurred within the Airport Area Revitalization Redevelopment Project Area for the installation of public improvements on N. Sierra Vista, N. Maple and E. Pine Avenues:
1. Adopt Findings of Categorical Exemption pursuant to Sections 15301 (Existing Facilities), Section 15303 (New Construction or Conversion of Small Structures) and 15304 (Minor Alterations to Land) of the CEQA Guidelines, related to the construction of publically owned improvements in a targeted area generally described as N. Maple Avenue, N. Sierra Vista Avenue and subdivision interior streets (unnamed) **(Council and Agency action)**
Action Taken: Adopted
 2. **JOINT RESOLUTION** - Making certain findings pursuant to Section 33445 of the Community Redevelopment Law, authorizing the Agency's reimbursement of costs incurred within the Airport Area Revitalization Redevelopment Project Area for the installation of public improvements on N. Sierra Vista, N. Maple and subdivision interior streets **(Council and Agency action)**
Action Taken: Resolution Nos. 2011-85/1790 adopted
 3. Authorize Developer Reimbursement Agreement (DRA) between the Redevelopment Agency and Irritec USA, Inc. and authorize the Executive Director to execute the Developer Reimbursement Agreement **(Agency action)**
Action Taken: Authorized
- B. Consider approval of the following actions relating to reimbursement of costs incurred within the Freeway 99/Golden State Corridor Redevelopment Project Area for the installation of public improvements on W. Clinton and N. Weber Avenues:
1. Adopt Findings of Categorical Exemption pursuant to Sections 15301 (Existing Facilities), Section 15303 (New Construction or Conversion of Small Structures) and 15304 (Minor Alterations to Land) of the CEQA Guidelines, related to the construction of publically owned improvements in a targeted area generally described as N. Weber, N. Hughes and W. Clinton Avenues **(Council and Agency action)**
Action Taken: Adopted
 2. **JOINT RESOLUTION** - Making certain findings pursuant to Section 33445 of the Community Redevelopment Law, authorizing the Agency's reimbursement of costs incurred within the Freeway 99/Golden State Corridor Redevelopment Project Area for the installation of public improvements on W. Clinton and N. Weber Avenues **(Council and Agency action)**
Action Taken: Resolution Nos. 2011-86/1791 adopted
 3. Authorize Developer Reimbursement Agreement (DRA) between the Redevelopment Agency and Noyan/ Frazier Properties, LLC and authorize the Executive Director to execute the Developer Reimbursement Agreement (DRA) **(Agency action)**
Action Taken: Authorized

ADJOURN AGENCY

CLOSED SESSION

PLEASE NOTE: SCHEDULED AND UNSCHEDULED COMMUNICATIONS ARE NOT TIMED AND MAY BE HEARD ANY TIME DURING THE MEETING

SCHEDULED COMMUNICATION –

1. *Appearance by City of Fresno hoteliers to present information on ways to bring sporting events to the City –*
Appearances made

UNSCHEDULED COMMUNICATION – Members of the public may address the Council regarding items that are not listed on the agenda and within the subject matter jurisdiction of the Council. Each person is limited to a three (3) minute presentation. Anyone wishing to be placed on an agenda for a specified topic should contact the City Clerk's Office at least ten (10) days prior to the desired date. Council action on unscheduled items, if any, shall be limited to referring the item to staff for a report and possible scheduling on a future Council agenda.

SCHEDULED COUNCIL HEARINGS AND MATTERS

May	12 -	8:30 A.M.	Presentation of P.R.I.D.E. Team Certificates Ceremony (<i>Reception immediately following – 2nd floor foyer</i>)
May	12 -	10:00 A.M.	CONTINUED HEARING to adopt a Resolution approving the reversion to acreage of Final Map of Tract 4983, Lots 1 through 53 inclusive (<i>Property located at the northeast corner of Cornelia Avenue and Dakota Avenue in District 1</i>) – Public Works Dept.
May	19 -	MEETING –	9:00 A.M. - ROLL CALL
May	19 -	10:00 A.M.	Mayor's presentation of the fiscal year 2011-2012 Budget
May	19 -	10:45 A.M.	HEARING re: Plan Amendment Application No. A-11-01, Rezone Application No. R-11-01, filed by Joe Guagliardo, of Comprehensive Planning Associates, on behalf of the U.S. Postal Service (Property owner)
May	19 -	1:30 P.M.	TEFRA HEARING to consider information concerning the proposed issuance of revenue bonds by the California Statewide Communities Development Authority to finance the acquisition and rehabilitation of a 60-unit multifamily low income residential rental project, commonly known as Pleasant View Apartments
May	26 -	10:00 A.M.	HEARING re: CFD No. 11, Annexation No. 42, Tract No. 5977 (<i>Property located in District 6</i>)
June	2 -	NO MEETING – MEMORIAL DAY	
June	9 -	MEETING	8:30 A.M.
June	16 -	10:00 A.M.	HEARING re: CFD No. 11, Annexation 43, Tract No. 5838